

SHIPPED: Between 10-3-56 and 11-28-56, from Waitsburg, Wash., by the Green Giant Co.

LABEL IN PART: (Can) "Trailer Brand Sweet Peas Contents 1 Lb. 1 Oz.  
\* \* \* Mixed Large Sizes."

LIBELED: 4-30-57, Dist. Oreg.

CHARGE: 403 (h) (1)—when shipped, the quality of the article fell below the standard of quality for canned peas since the combined weight of peas, pods, and other harmless extraneous vegetable material in the container of the article was more than  $\frac{1}{2}$  percent of the drained weight of the peas in the container, and the label of the article failed to bear a statement that it fell below such standard.

DISPOSITION: 8-30-57. Default—delivered to a charitable organization.

**24031. Red peppers.** (F. D. C. No. 40254. S. No. 38-320 M.)

QUANTITY: 329 bags at St. Louis, Mo., in possession of Gutman's Truck Warehouse.

SHIPPED: 1-7-57 and 1-17-57, from Pamplico, S. C.

LIBELED: 5-14-57, E. Dist. Mo.

CHARGE: 402 (a) (3)—contained rodent pellets; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 6-18-57. Consent—claimed by James H. Forbes Tea & Coffee Corp., St. Louis, Mo. Segregated; 24 bags plus 1,006 lbs. were destroyed.

**24032. Canned mushrooms.** (F. D. C. No. 40357. S. No. 71-527 M.)

QUANTITY: 10 cases, 24 16-oz. cans each, at Fargo, N. Dak.

SHIPPED: Between 11-26-56 and 4-9-57, from Wilmington, Del.

LIBELED: 6-25-57, Dist. N. Dak.

CHARGE: 402 (a) (3)—contained a decomposed substance while held for sale.

DISPOSITION: 7-26-57. Consent—destruction.

**24033. Green olives.** (F. D. C. No. 40261. S. No. 73-307 M.)

QUANTITY: 97 cases, 24 btls. each, and 99 cases, 24 btls. each, at Denver, Colo.

SHIPPED: Between 1-24-57 and 4-11-57, from Chicago, Ill., by Old Monk Co.

LABEL IN PART: "Old Monk Brand Petite Olives \* \* \* Drained Wt.  $6\frac{3}{4}$  oz.  
[or "3 oz."]."

LIBELED: 5-24-57, Dist. Colo.

CHARGE: 402 (a) (3)—contained insects and rodent hairs when shipped; and 403 (e) (2)—the article in the  $6\frac{3}{4}$ -oz. size bottles failed to bear a label containing an accurate statement of the quantity of contents (the article was short weight).

DISPOSITION: 7-25-57. Default—destruction.

### TOMATOES AND TOMATO PRODUCTS

**24034. Canned tomatoes.** (F. D. C. No. 40190. S. No. 61-268 M.)

QUANTITY: 136 cases, 24 1-lb. 12-oz. cans each, at Manchester, N. H.

SHIPPED: 9-24-56, from Nassawadox, Va., by Thomas Roberts & Co.

LABEL IN PART: (Can) "Elmdale Tomatoes."

LIBELED: 5-7-57, Dist. N. H.

CHARGE: 402 (a) (3)—contained *Drosophila* fly eggs, scavenger fly eggs, and maggots when shipped.

DISPOSITION: 6-11-57. Default—destruction.

24035. Canned tomatoes and canned sweetpotatoes. (F. D. C. No. 39674. S. Nos. 47-111/2 M.)

QUANTITY: 21 cases, 24 1-lb. 11-oz. or 1-lb. 12-oz. cans each, of canned tomatoes and 173 cases, 24 1-lb. 1-oz. cans each, of canned sweetpotatoes at Philadelphia, Pa.

SHIPPED: 7-16-56, from Chestertown, Md.

LIBELED: 11-8-56, E. Dist. Pa.

CHARGE: 402 (a) (3)—contained a decomposed substance while held for sale.

DISPOSITION: 2-7-57. Default—destruction.

24036. Tomato puree. (F. D. C. No. 40188. S. No. 61-221 M.)

QUANTITY: 24 cases, 48 cans each, at Vineland, N. J.

SHIPPED: 4-17-57, from East Hartford, Conn. This was a return shipment.

LABEL IN PART: (Can) "Mountain Beauty Contents 10½ Ozs. Av'd. Tomato Puree."

LIBELED: 4-26-57, Dist. N. J.

CHARGE: 402 (a) (3)—contained fly eggs and maggots when shipped.

DISPOSITION: 5-29-57. Default—destruction.

## NUTS

24037. Cashew nuts. (F. D. C. No. 40291. S. No. 57-813 M.)

QUANTITY: 59 cases, 2 25-lb. cans each, at Eastman, Ga.

SHIPPED: 2-7-57 and 2-28-57, from New York, N. Y.

LIBELED: 5-27-57, S. Dist. Ga.

CHARGE: 402 (a) (3)—contained insects and insect-damaged nuts while held for sale.

DISPOSITION: 6-28-57. Consent—claimed by Jos. A. Zaloom & Co., Inc., New York, N. Y. Segregated; 226 lbs. destroyed.

24038. Cashew nuts. (F. D. C. No. 40290. S. No. 76-961 M.)

QUANTITY: 42 cases, 2 25-lb. cans each, at Atlanta, Ga.

SHIPPED: 2-28-57, from New York, N. Y.

LIBELED: 5-24-57, N. Dist. Ga.

CHARGE: 402 (a) (3)—contained insects and insect-damaged nuts while held for sale.

DISPOSITION: 6-14-57. Consent—claimed by Jos. A. Zaloom & Co., Inc., New York, N. Y. Segregated; 50 lbs. destroyed.

24039. Shelled peanuts. (F. D. C. No. 40138. S. Nos. 33-754 M, 58-117 M.)

INFORMATION FILED: 6-12-57, W. Dist. Mo., against Bunte Bros. Chase Candy Co., a corporation, St. Joseph, Mo.

ALLEGED VIOLATION: Between 10-10-56 and 1-8-57, while a quantity of shelled peanuts was being held for sale after shipment in interstate commerce, the defendant caused the peanuts to be placed in a building that was accessible